

UNITED STATES DISTRICT COURT

EASTERN

District of

WASHINGTON

EXEMPLIFICATION CERTIFICATE

I, Sean F. McAvoy, Clerk of this United States District Court, keeper of the records and seal, certify that the attached documents:

Order Granting Motion to Correct Judgment Nunc Pro Tunc to June 16, 2015, ECF No. 224, entered in cause number 2:12-cv-00668-RMP on 03/22/2022.

are true copies of records of this Court.

In testimony whereof I sign my name and affix the seal of this Court, in this District, at Spokane on 3/30/2022

City

Date

Clerk

(By) Deputy Clerk

I, Chief Judge Stanley A. Bastian, a Judicial Officer of this Court, certify that Sean F. McAvoy, named above, is and was on the date noted, Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the attestation of the record, are in accordance with the laws of the United States

3/30/2022

Date

Signature of Judge

Chief United States District Judge

Title

I, Sean F. McAvoy, Clerk of this United States District Court, keeper of the seal, certify that the Honorable Chief Judge Stanley A. Bastian,

Judge

named above, is and was on the date noted a Judicial Officer of this Court, duly appointed, sworn and qualified, and that I am well acquainted with the Judge's official signature and know and certify the above signature to be that of the Judge.

In testimony whereof I sign my name, and affix the seal of this Court at Spokane in this State, on 3/30/2022

City

Date

Clerk

(By) Deputy Clerk

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 22, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor

BRUCE P. KRIEGMAN, the
Liquidating Trustee for the
liquidating Trust of LLS America,
LLC,

Plaintiff,

v.

LAZY M, LLC, et al,

Defendants.

NO: 2:12-CV-668-RMP

ORDER GRANTING MOTION TO
CORRECT JUDGMENT NUNC PRO
TUNC TO JUNE 16, 2015

BEFORE THE COURT is Plaintiff Bruce P. Kriegman's Ex Parte Motion to Correct Judgment Nunc Pro Tunc to June 16, 2015, ECF No. 223. Plaintiff seeks to correct a scrivener's error adding a "Jr." suffix for Judgment Debtor Ronald Ponton, when Mr. Ponton should have a "Sr." suffix. *Id.*; *see also* ECF

ORDER GRANTING MOTION TO CORRECT JUDGMENT NUNC PRO TUNC TO JUNE 16, 2015~ 1

No. 140. Having reviewed the record and relevant law, the Court is fully informed.

The Court agrees that the record supports that the proper identification of Mr. Ponton is “Ronald Ponton, Sr.,” not “Ronald Ponton, Jr.,” as stated in the June 2015 Judgment. *See* ECF No. 140. The Federal Rules of Civil Procedure allow the Court to correct such clerical mistakes. Fed. R. Civ. P. 60(a). Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s Ex Parte Motion to Correct Judgment Nunc Pro Tunc to June 16, 2015, **ECF No. 223**, is **GRANTED**. Furthermore, the District Court Clerk shall enter an Amended Judgment nunc pro tunc to June 16, 2015, to replace the Judgment at ECF No. 140, consistent with the Judgment Summary set forth below.

JUDGMENT SUMMARY

- | | |
|---|--|
| 1. Judgment Creditor- | Bruce P. Kriegman, Liquidating
Trustee for LLS America, LLC, as
consolidated |
| 2. Attorneys for Judgment
Creditor- | Witherspoon Kelley |
| 3. Judgment Debtors- | Ronald Ponton, Sr. and Tomika
Ponton |
| 4. Attorneys for Judgment Debtor- | Pro Se |
| 5. Judgment Amount (Principal)- | \$117,411.00 USD |
| 6. Prejudgment Interest (0.47%
from July 21, 2009 through June
16, 2015)- | \$3,259.59 USD |

7. Total Judgment- \$120,670.59 USD
8. Plus taxable costs in the amount to be determined by the Court-
9. Interest Rate on Judgment- .24% (28 U.S.C. § 1961)

Plaintiff filed a Notice of Presentment of Judgment pursuant to Fed. R. Civ. P. 52(a)(1) and 58(a), (d). ECF No. 134. After a bench trial that began on January 20, 2015, the Court entered Findings of Fact and Conclusions of Law, ECF No. 133, which are fully incorporated here with the same force and effect as is set forth verbatim. The Court being fully informed, **IT IS HEREBY ORDERED** that:

1. Plaintiff, Bruce P. Kriegman, solely in his capacity as Liquidating Trustee of LLS America, LLC as consolidated, is hereby awarded Judgment against defendants Ronald Ponton, Sr. and Tomika Ponton, jointly and severally, as follows:

- a. Judgment \$117,411.00 USD
- b. Prejudgment interest (0.47% per annum from July 21, 2009 to June 16, 2015) \$3,259.59 USD
- c. Plus taxable costs in the amount to be determined by the Court
- d. Plus post-judgment interest from the date of Judgment until fully paid at the federal rate of 0.24% per annum (28 U.S.C. § 1961).

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and an Amended Judgment nunc pro tunc to June 16, 2015, and provide copies to counsel, to pro se defendants, and to United States Bankruptcy Judge Frederick P. Corbit.

DATED March 22, 2022.

ATTEST A TRUE COPY
SEAN F. McAVOY, CLERK
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
BY *Jolly R. Smardon*
DEPUTY CLERK

s/ Rosanna Malouf Peterson
 ROSANNA MALOUF PETERSON
 Senior United States District Judge